

From: Hah, Josephine
Sent: Tuesday, April 24, 2018 4:49 PM
To: Villarreal, Chris; Banipal, Ben; Gee, Randy; Atkins, Blake; Turner, LaDonna; Sanchez, Petra; Alvarado, Tina
Subject: FW: Region 6 - Meeting request to tie up loose ends regarding data - follow-ups
Attachments: FY18_ALL_STAFF-#474231-v1-SUPERFUND_FAQ_FOR_TCOTS.DOCX

Chris,

Below is a summary of follow-ups from today's meeting. A due date is not specified; perhaps we can respond with documents that is readily available in 7-14 days then follow with remaining documents that require more time and effort to retrieve. Just let me know how I may assist in forwarding.

Thanks,

Josephine Hah, CPA
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From: Bond, Matthew R [mailto:BondM@gao.gov]
Sent: Tuesday, April 24, 2018 4:17 PM
To: Hah, Josephine <Hah.Josephine@epa.gov>; Solomon, Ruth <SolomonR@gao.gov>
Cc: normane@gao.gov
Subject: RE: Region 6 - Meeting request to tie up loose ends regarding data - follow-ups

Thank you for sending this along Josephine.

Below you will find the follow ups from today's meeting and follow-ups from these previous meetings:

- 1) Agenda from RTOC meetings where potential opportunities for tribal consultation was discussed for the Wilcox Oil Company. Alternatively, if you have emails or other documentation to demonstrate that consultation was offered, that would suffice.
- 2) Copies of the two letters from the Grants Mining District offering consultation to the Pueblos that did not make it into TCOTS.
- 3) A copy of the tribal risk assessment for the North Railroad Avenue Plume
- 4) Documentation, if available, on the Region's offering consultation to tribes associated with the 21 sites within the data Region 6 officials reviewed in December 2017 that are on or near tribal reservations that did not elicit Native American interest in consultation. If possible, provide documentation of the tribal response as well. (We can provide a list of the sites indicated, if needed).

As promised, attached you will find the Superfund FAQ forwarded us by OITA that we referenced in the phone call.

Below are follow-up items we requested from previous meetings. If these documents have been sent previously, either in whole or in part, please forward the documents to me and I will save them and confirm receipt.

Follow-ups from December 15, 2017 ROI:

1. Attendance list – Received 24 April
2. Example of an administrative record for Tar Creek which shows informal coordination with the tribe.
3. Examples in the Tar Creek administrative record showing documented change to site boundary because of EPA's move to a watershed-focused approach.

Follow ups from December 7, 2017 ROI on Jackpile Paguate:

- 1) Attendance list – Received 24 April
- 2) Chronology and documents or letters indicating coordination with Laguna Pueblo.
- 3) Memo talking about fishing on the Pueblo lands.
- 4) Examples of cultural awareness stipulation from Pruitt Site work plan.
- 5) A copy of the Laguna Pueblo MOU with EPA.

Thanks again Josephine. If you have any questions, please do not hesitate to let me know. Have a good evening.

Regards,
Matthew

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Tribal Consultation Opportunities Tracking System (TCOTS)

Q. What Superfund-related consultations are recommended for inclusion in TCOTS?

A: The purpose of Tribal Consultation Opportunities Tracking System (TCOTS) is to publicize upcoming and current EPA consultation opportunities for tribal governments. As described in EPA's 2011 *Policy on Consultation and Coordination with Indian Tribes*, "consultation is a process of meaningful communication and coordination between EPA and tribal officials prior to EPA taking actions or implementing decisions that may affect tribes." TCOTS allows users to view and sort information, and to submit comments on a tribal consultation. TCOTS is a key feature of EPA's 2011 consultation policy. The goal of TCOTS is to provide early notification and transparency on EPA consultations with tribal governments. As a reminder, any tribal consultation should be coordinated by the Tribal Consultation Advisor (TCA) in your office. The TCAs are responsible for entering information into the TCOTS system.

For Superfund sites, TCOTS is designed to identify the government-to-government tribal consultation opportunities at points in the Superfund process where EPA is taking an action or making a decision that may affect tribal interests. Specific actions or decision points should be individually entered in TCOTS. Examples of Superfund actions or decision points include but are not limited to:

- Site proposals and finalizations to the Superfund National Priorities List (NPL);
- Remedial Investigation/Feasibility Studies;
- Non-time critical removal Engineering Evaluation/Cost Analyses (EE/CA);
- Proposed Plan/Records of Decision (ROD)/ROD Amendment and
- Deletions.

Each TCOTS entry generally should focus on single site-specific action or decision and have a discrete start and end date. A single TCOTS entry should not try to describe the multiple consultations and continual coordination that occurs over the life of a Superfund NPL site.